



1647-

Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener, et al  
Serial No.: 09/731,255  
Filed: December 6, 2000  
Entitled: Stem Cells and Their Use in Transplantation

Examiner: Bunner, B.E.

Group Art Unit: 1647

Conf. No.: 9070

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JUN 20 2003

TECH CENTER 1600/2900

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I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Elizabeth N. Spar

Name of Person Mailing Paper

*Elizabeth N. Spar*

Signature of Person Mailing Paper

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 citing seven References;
3. Copies of seven Cited References; and
4. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 3284/1220. A duplicate of this transmittal letter is enclosed for this purpose.

Date: 6-16-03

Respectfully submitted,

*Elizabeth N. Spar reg #45,123 for*

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 29933

Palmer & Dodge LLP

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Boston, MA 02199-7613

Tel: 617-239-0100



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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office. A listing of the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents in the list.

Pursuant to CFR § 1.97(e)(1), each item contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or International application. Please note, the Cornelius et al. and Ramiya et al. references cited in the European Search Report and the Hunziker et al. and Cornelius et al references cited in the International Search Report were previously filed in the Information Disclosure Statement filed on May 11, 2001. Because this statement is being filed within three months of receipt of the Search Report, no fee is believed to be due. A copy of the Search Report is included and cited on the enclosed PTO-1449.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

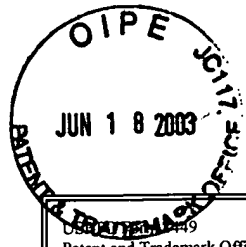
Respectfully submitted,

Date:

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Neg #45,123

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Page 1 of 1

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U.S. Department of Commerce  
Patent and Trademark Office

Attorney Docket No.

Serial No.

3284/1220

09/731,255

## INFORMATION DISCLOSURE STATEMENT

Applicant(s): Habener, et al

Filing Date: December 6, 2000

Group: 1647

## U.S. PATENT DOCUMENTS

Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Publication Date	Country	Class	Subclass	Translation	
							YES	NO
	1.	97/15310	May 1, 1997	WO	A61K	31/70		X
	2.	01/39784	June 7, 2001	WO	A61K	35/00		X

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

3.	Peck, et al., Pancreatic stem cells: building blocks for a better surrogate islet to treat type 1 diabetes, 2001, <i>Ann Med.</i> 33: 186-192
4.	Zulewski, et al., Multipotential Nestin-Positive Stem Cells Isolated From Adult Pancreatic Islets Differentiate Ex Vivo Into Pancreatic Endocrine, Exocrine, and Hepatic Phenotypes, 2001, <i>Diabetes</i> , 50:521-533
5.	Zhou, et al. The ABC transporter Bcrp1/ABCG2 is expressed in a wide variety of stem cells and is a molecular determinant of the side-population phenotype, 2001, <i>Nature Medicine</i> Volume 7, Number 9: 1028-1034
6.	International Search Report dated April 17, 2003, from International Application No. PCT/US02/30700
7.	International Search Report dated March 4, 2003, based on Application No. EP 0098 0985.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*\*Copies of references not provided at the time of this submission.